

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: August 16, 2006

Division: Emergency Services

Bulk Item: Yes X No     

Department: Fire Rescue

Staff Contact Person: Susan Hover

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**AGENDA ITEM WORDING:** Approval of Resolution terminating the ambulance service agreement dated September 17, 1997 between Monroe County Board of County Commissioners as governing Board for Municipal Services Taxing District 6 and the Key Largo Volunteer Ambulance Corps, Inc., and all addenda thereto, in accordance with Section 30 of said agreement, effective midnight September 30, 2006; providing an alternative termination date if necessary.

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**ITEM BACKGROUND:** See attached memo.

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**PREVIOUS RELEVANT BOCC ACTION:** On September 17, 1997, the Board approved a new basic service agreement with Key Largo Volunteer Ambulance Corps, Inc. This service agreement has been amended from time to time since inception, and is currently on a month-to-month basis.

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**CONTRACT/AGREEMENT CHANGES:** Termination of service agreement effective midnight September 30, 2006.

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**STAFF RECOMMENDATIONS:** Approval.

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**TOTAL COST:** N/A

**BUDGETED:** Yes      No     

**COST TO COUNTY:** N/A

**SOURCE OF FUNDS:** N/A

**REVENUE PRODUCING:** Yes      No     

**AMOUNT PER MONTH**      **Year**     

**APPROVED BY:** County Atty YES OMB/Purchasing N/A Risk Management N/A

**DIVISION DIRECTOR:** Clark O. Martin, Jr. 


**DOCUMENTATION:** Included X Not Required     

**DISPOSITION:**     

**AGENDA ITEM #**

## **MEMORANDUM ATTACHMENT TO AGENDA ITEM SUMMARY**

**TO:** Board of County Commissioners of Monroe County, Florida

**FROM:** Clark O. Martin, Jr., Fire Chief/Director  
Emergency Services Division 

**MEETING DATE:** August 16, 2006

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### **ITEM WORDING**

Approval of Resolution terminating the ambulance service agreement dated September 17, 1997 between Monroe County Board of County Commissioners as governing Board for Municipal Services Taxing District 6 and the Key Largo Volunteer Ambulance Corps, Inc., and all addenda thereto, in accordance with Section 30 of said agreement, effective midnight September 30, 2006; providing an alternative termination date if necessary.

### **ITEM BACKGROUND**

The Key Largo Fire and EMS District was created on June 8, 2005, the effective date of the bill that created it. The referendum was for the purposes of taxation and to elect a governing board, which had to be voted upon by the electorate within the district by October 4, 2005.

Although the Key Largo Fire and EMS District existed and had a governing body as of October 4, 2005, it had no money and borrowed funds from the County to begin operation, and in addition elected to continue functioning under the existing service agreements with the County until their official transition effective October 1, 2006.

Section 30 of the service agreement allows termination without cause by giving sixty (60) days written notice. (See attached page 9 of Agreement)

On July 25, 2006, a written notice was prepared by Fire Chief Clark Martin to Key Largo Volunteer Ambulance Corps, Inc. stating the intent of the County to terminate the agreement as of midnight September 30, 2006, contingent upon Board approval. (See attached Written Notice letter)

**RESOLUTION No.        - 2006**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY FLORIDA PROVIDING THAT THE AMBULANCE SERVICE AGREEMENT DATED SEPTEMBER 17, 1997 BETWEEN MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AS GOVERNING BOARD FOR MUNICIPAL SERVICES TAXING DISTRICT 6 AND THE KEY LARGO VOLUNTEER AMBULANCE CORPS, INC., AND ALL ADDENDA THERETO, IN ACCORDANCE WITH SECTION 30 OF SAID AGREEMENT, BE TERMINATED EFFECTIVE MIDNIGHT SEPTEMBER 30, 2006; PROVIDING AN ALTERNATIVE TERMINATION DATE IF NECESSARY.**

**WHEREAS**, On September 17, 1997, the Board of County Commissioners of Monroe County, Florida approved a new basic service agreement (Agreement) with Key Largo Volunteer Ambulance Corps, Inc; and

**WHEREAS**, Said Agreement has been amended from time to time since inception, and is currently on a month-to-month basis; and

**WHEREAS**, The Key Largo Fire and EMS District (District) was created on June 8, 2005, the effective date of the bill that created it, and a referendum was held for the purposes of taxation and election of a governing board; and

**WHEREAS**, Although the Key Largo Fire and EMS District existed and had a governing body as of October 4, 2005, it had no money and borrowed funds from the County to begin operation; and

**WHEREAS**, the District elected to continue functioning with the existing service agreements with the County until the official transition by Interlocal Agreement (ILA) between Monroe County and District, which should be effective October 1, 2006; and

**WHEREAS**, Section 30 of the Agreement allows termination of the Agreement without cause by giving sixty (60) days written notice; and

**WHEREAS**, On July 25, 2006, in order to comply with the terms of the Agreement, a written notice was sent by Fire Chief Clark Martin to Key Largo Volunteer Ambulance Corps, Inc. stating the intent of the County to terminate the agreement as of midnight September 30, 2006, contingent upon approval of the Board of County Commissioners acting as the Board of Governors of District 6;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:**

Section 1. That the ambulance service agreement dated September 17, 1997 between Monroe County Board of County Commissioners as Governing Board for Municipal Services Taxing District 6 and the Key Largo Volunteer Ambulance Corps, Inc., and all addenda thereto, in accordance with Section 30 of said agreement, be terminated effective midnight September 30, 2006.

Section 2. That in the event the transition ILA is delayed, the Agreement shall terminate on the day the ILA is approved.

Section 3. That a copy of this document shall be furnished to the President, Key Largo Volunteer Ambulance Corps, Inc.

**PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County, Florida at a regular meeting of said Board held on the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2006.

Mayor Charles "Sonny" McCoy  
Mayor Pro Tem Dixie M. Spehar  
Commissioner George Neugent  
District IV  
Commissioner Glenn Patton

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\_\_\_\_\_  
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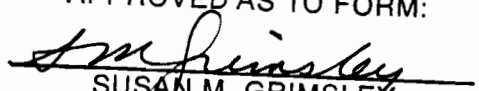
(SEAL)

Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS  
MUNICIPAL SERVICES TAXING  
DISTRICT 6

By \_\_\_\_\_  
Deputy Clerk

By \_\_\_\_\_  
Mayor/Chairman

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM:  
  
SUSAN M. GRIMSLEY  
ASSISTANT COUNTY ATTORNEY  
7-27-06

28. The AMBULANCE CORPS may provide group health insurance for the members of the AMBULANCE CORPS consistent with the provisions of Section 112.08 (4) (a) Florida Statutes. The cost of such insurance shall be a cost, charge or expenditure for which the DISTRICT, upon receipt of proper invoice and applicable documentation, shall pay in a sum not to exceed the available funding.

29. The AMBULANCE CORPS shall present a copy of its annual audit report, prepared by a certified public accountant licensed to do business in the State of Florida, to the DISTRICT. The report shall be presented to the DISTRICT within thirty (30) days of its receipt by the AMBULANCE CORPS. The AMBULANCE CORPS shall comply with this requirement for each audit year concurrent in whole or in part with the term of this agreement. The cost of such audit shall be a cost, charge, or expenditure of the AMBULANCE CORPS for which the DISTRICT, upon receipt of proper invoices and other applicable documentation, shall reimburse the AMBULANCE CORPS in a sum not to exceed the budgeted allocation for same.

30. The DISTRICT may terminate this AGREEMENT at any time during its term if the AMBULANCE CORPS defaults under any of the provisions specified herein, or violates any standard specified in this AGREEMENT or violates any other law, regulations or standard applicable to furnishing of ambulance service in Monroe County. In such event, the Administrator of the County shall furnish the AMBULANCE CORPS written notice of any such default or violation and the AMBULANCE CORPS shall have thirty (30) days from receipt of said notice to correct or remedy such default or violation. If such violation is not corrected or such default is not remedied within said thirty (30) day period, or is of such nature that it cannot be corrected or remedied, this AGREEMENT may be terminated at the discretion of the County Administrator. The AMBULANCE CORPS may terminate this AGREEMENT without cause by giving sixty (60) days written notice indicating their desire to terminate same.

31. Notice under this AGREEMENT shall be given to the DISTRICT by sending written notice to the Office of the County Administrator, Public Service Building, Wing II, Key West, Florida 33040 and notice shall be given to the AMBULANCE CORPS by sending written notice to the President of the Key Largo Volunteer Ambulance Corps, Inc., 98600 Overseas Highway, Key Largo, Florida 33037. All vehicles and equipment owned by the DISTRICT or Monroe County and used by the AMBULANCE CORPS to provide ambulance service shall be returned to the DISTRICT when requested upon expiration or termination of this AGREEMENT. During the interim period between expiration of this AGREEMENT and execution of a new AGREEMENT, the AMBULANCE CORPS shall be authorized to use the vehicles and equipment for continued provision of ambulance service.



OFFICE of  
EMERGENCY SERVICES  
490 63<sup>rd</sup> Street  
Marathon, FL 33050  
PHONE: (305) 289-6010  
FAX: (305) 289-6336



**BOARD OF COUNTY COMMISSIONERS**

Mayor Charles "Sonny" McCoy, District 3  
Mayor Pro Tem Dixie M. Spehar, District 1  
George Neugent, District 2  
David P. Rice, District 4  
Glenn Patton, District 5

July 25, 2006

Brenda Beckmann, President  
Key Largo Volunteer Ambulance Corps, Inc.  
98600 Overseas Highway  
Key Largo, FL 33037

Dear Ms, Beckmann,

**WRITTEN NOTICE**

This is written notice that ambulance service agreement dated September 17, 1997, and all addenda thereto, will be terminated effective midnight September 30, 2006, contingent upon approval by the Board of County Commissioners of Monroe County Florida.

If you have any questions, please feel free to contact me.

Sincerely,

Clark O. Martin, Jr.  
Fire Chief/Director, Emergency Services